

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDY NICHOLAW,

No. C-11-4272 JCS

Plaintiff,

v.

**ORDER GRANTING APPLICATION TO
PROCEED IN FORMA PAUPERIS AND
DISMISSING COMPLAINT WITH LEAVE TO
AMEND**

BOARD OF SUPERVISORS,

Defendants.

[Docket Nos. 1, 2]

Plaintiff Andy Nicholaw has filed an application to proceed *in forma pauperis* (“Application”). He has consented to the jurisdiction of a United States magistrate judge pursuant to 28 U.S.C. § 636(c). The Court has reviewed the Application and finds that Plaintiff is indigent. Therefore, the Application is GRANTED.

Having granted Plaintiff’s Application, the Court reviews what it construes as a complaint (the document is entitled “Motion for Declaratory Relief”), pursuant to 28 U.S.C. § 1915(e)(2), which requires that the Court dismiss an *in forma pauperis* complaint that fails to state a claim. *Marks v. Solcum*, 98 F.3d 494, 495 (9th Cir. 1996). The Court is unable to discern any legally cognizable claim in Plaintiff’s complaint. Therefore, the Court DISMISSES plaintiff’s complaint with leave to amend. Plaintiff shall be given thirty (30) days from the date of this order in which to amend his complaint. In his amended complaint, Plaintiff shall identify each claim clearly and legibly and state the specific facts supporting each claim. If Plaintiff in his amended complaint states a claim upon which relief may be granted, the Court will order service of the complaint on the Defendant(s).


In addition, without making any endorsement in this regard, Plaintiff is advised that the

1 San Francisco Bar Association operates a lawyer referral service which may be helpful in
2 securing pro bono counsel. Moreover, Plaintiff may wish to seek assistance from the Legal Help
3 Center, located on the 15th Floor of the Federal Building, 450 Golden Gate Avenue, San Francisco,
4 CA, in Room 2796, where Plaintiff may sign up for a free appointment with an attorney who may be
5 able to provide basic legal help, but not legal representation. The telephone number for scheduling
6 an appointment with the Legal Help Center is (415) 782-9000, extension 8657.

7 The Clerk is directed to close the file in this case if an amended complaint is not filed within
8 thirty days of the date of this order.

9 IT IS SO ORDERED.

10 DATED: October 14, 2011



11
12 **JOSEPH C. SPERO**
United States Magistrate Judge